

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AT AUSTIN**

JOUREY NEWELL, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

BKV-BPP RETAIL LLC
D/B/A BKV ENERGY,

Defendant.

Case No. 1:25-cv-00395-ADA-DH

**DEFENDANT BKV-BPP RETAIL LLC’S AGREED MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule CV-7, Defendant BKV-BPP Retail LLC (“BKV”), files this Agreed Motion for Extension of Time to Respond to the Complaint (ECF No. 1), and states as follows:

1. On March 15, 2025, Plaintiff Jourey Newell (“Plaintiff”) filed the Complaint in the above captioned action and summons was issued on March 19, 2025 (ECF Nos. 1, 3).
2. BKV received service of the summons on March 21, 2025. The deadline for BKV to respond to the Complaint is currently April 11, 2025.
3. Pursuant to Federal Rule of Civil Procedure 6(b)(1), the Court may enlarge for good cause the period of time within which BKV must serve its response.
4. Good cause exists for an extension of time to provide an answer in this case. This is a putative class action and BKV’s counsel requires additional time to investigate the allegations in the Complaint in order to adequately respond.

5. Accordingly, BKV respectfully requests that this Court extend the deadline to respond to the Complaint by 28 days to May 9, 2025.

6. Plaintiff's counsel has agreed to the requested extension.

7. This Motion is brought in good faith, not for purposes of delay, and will not prejudice any party to this action. As this case is in its preliminary stages, the requested extension will not conflict with any other deadlines.

WHEREFORE, BKV respectfully requests this Court enter an Order extending BKV's time to respond to the Complaint to May 9, 2025.

Dated: April 10, 2025

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Kristen H. Luck

W. Ray Whitman

State Bar No. 21379000

rwhitman@bakerlaw.com

Kristen H. Luck

Texas Bar No. 24104027

kluck@bakerlaw.com

BAKER & HOSTETLER LLP

811 Main Street, Suite 1100

Houston, TX 77002-6111

Telephone: 713.751.1600

Facsimile: 713.751.1717

**ATTORNEYS FOR DEFENDANT
BKV-BPP RETAIL LLC**

CERTIFICATE OF CONFERENCE

I hereby certify that on April 9, 2025, BKV's counsel conferred with Plaintiff's counsel about the foregoing Motion, as required by the Local Rules. Plaintiff's counsel has agreed to the requested extension.

/s/ Kristen H. Luck

Kristen H. Luck

CERTIFICATE OF SERVICE

In accordance with the Federal Rules of Civil Procedure, I hereby certify that on April 10, 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send electronic notice of this filing to all counsel of record in this matter.

/s/ Kristen H. Luck

Kristen H. Luck